

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

JOSÉ M. LORIE VELASCO, ET AL.

Plaintiffs

V.

K-MART CORPORATION

Defendants

CIVIL NO. 98-1867 (PG)

**MOTION REQUESTING THAT JUDGMENT CHECK ISSUED IN THE NAME OF  
THE SOCIAL PARTNERSHIP BETWEEN PLAINTIFFS JOSÉ M. LORIE VELASCO  
AND HEIDI BERRÍOS SAAVEDRA BE VOIDED AND THAT TWO SEPARATE  
CHECKS IN THE AMOUNT EACH OF HALF OF THE LATTER CHECK BE ISSUED  
IN THE NAME OF EACH ONE, RESPECTIVELY**

Come now plaintiff Heidi R. Berríos Saavedra (*“plaintiff”*), and state as follows:

1. On May 29, 2006, plaintiff, together with her three sons, called therein the “*Berríos Plaintiffs*” filed a motion in the context of this case titled “*Urgent Motion Requesting Leave to Assume the Representation of Certain of the Plaintiffs and to Other Effects*,” which, upon explaining a number of events, many presumed due to the sealed nature of the judgment entered in the case, requested to this Court to “*assuming that Attorney Quetglas<sup>1</sup> would withdraw his representation of plaintiffs in this case, the Berríos Plaintiffs pray to this Honorable Court to: (1) allow the undersigned to assume the representation of the Berríos Plaintiffs; (2) provide plaintiff Lorie ten (10) days at most to find new representation; and (3) to order the disbursement of funds contemplated by the settlement agreement in this case as soon as*

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<sup>1</sup> Who handled the case on behalf of all plaintiffs.

*possible.”*<sup>2</sup>

2. In time, checks were order by the Court to be issued in accordance with the judgement issued in accordance with the settlement reached in the case by the parties.

3. In accordance with the settlement agreement and corresponding judgment, a check was issued jointly in the name of plaintiffs’ José Lorié Velasco and Heidi R. Berríos Saavedra, who at the time of the settlement formed part of a marital partnership as husband and wife in accordance with Puerto Rico law. Since, however, José Lorié Velasco and Heidi R. Berríos Saavedra has divorced and their marital partnership ceased to exist.

WHEREFORE, the plaintiff prays to the Court to order the check issued jointly in their name and/or in the name their extinct marital partnership to be voided and two different checks be issued in the name of José Lorié Velasco and Heidi R. Berríos, respectively in the amount each of half the amount of the check issued jointly in their names.

Respectfully submitted in San Juan, Puerto Rico this August 23, 2006

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<sup>2</sup> Docket No. 247.

**CERTIFICATE OF SERVICE**

I do hereby certify that, on May 29, 2006, I electronically filed the foregoing document with the Clerk of the Court through the CM/ECF system, which will send notification to the attorneys of record.

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